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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/994,013

11/27/2001

Yoshiyuki Tsuda

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EXAMINER

PWU, JEFFREY C

ART UNIT

PAPER NUMBER

2143

DATE MAILED: 11/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/994,013	Applicant(s) TSUDA, YOSHIYUKI	
	Examiner Jeffrey C. Pwu	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 8/23/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Kakemizu et al. (U.S. 2002/0006133).

Kakemizu et al. teaches a mobile communication system/method, comprising:

- a mobile node device according to Mobile IP protocol; (abstract)
- an AAAH server device according to a prescribed AAA protocol which is provided at a home network of the mobile node device, for supporting an authentication and accounting service with respect to packet communications by the mobile node device; (12; ¶[0008])
- the mobile node device having a transmission unit configured to transmit an authentication and accounting request for requesting a desired accounting service at the AAAH server device; (¶[0128])

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- and the AAAH server device having: an information recording unit configured to record communication fee information regarding a communication fee to be charged to a user of the mobile node device; (see “account process” and ¶[0011])

- a processing unit configured to carry out authentication and accounting processes for the packet communications by the mobile node device according to the communication fee information, and a processing for providing the desired accounting service according to the authentication and accounting request which is received from the mobile node device when it is judged that authentication succeeded according to authentication information contained in the authentication and accounting request. (¶[0019-0038])

- wherein the processing unit of the AAAH server device is operated such that, when the desired accounting service is a processing for transferring a charged amount to be paid to another party by the user of the mobile node device to the communication fee of the user of the mobile node device, the communication fee information is recorded in the information recording unit according to the charged amount.(see “transfer control unit”; ¶[0131])

- wherein the processing unit also carries out a procedure for paying the charged amount to said another party when the desired accounting service is a payment of the charged amount to said another party. (see “transfer control unit” and “service control unit”; ¶[0131]-[0135])

- wherein the processing unit of the AAAH server device is operated such that, when the desired

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accounting service is the processing for transferring the charged amount to be paid to said another party by the user of the mobile node device to the communication fee of the user of the mobile node device, the processing unit notifies information regarding the authentication and accounting request from the mobile node device to another AAA server device for supporting the authentication and accounting service with respect to a mobile node of said another party.

(¶[0131]-[0135])

● wherein the processing unit of the AAAH server device is operated such that, when the desired accounting service is acquisition of a charged amount information regarding the charged amount to be paid to said another party by the user of the mobile node device, the processing unit acquires the charged amount information from a device providing the charged amount information and transfers the charged amount information to the mobile node device. (¶[0131]-[0135])

● further comprising: an AAAF server device according to the prescribed AAA protocol which is provided at a visited network of the mobile node device, for supporting the authentication and accounting service with respect to packet communications by the mobile node device, the AAAF server device (32) having a transmission unit configured to transmit another authentication and accounting request for requesting an accounting with respect to the packet communications by the mobile node device that has moved to the visited network; wherein the processing unit of the AAAH server device is operated such that, when said another authentication and accounting request is received from the AAAF server device and it is judged that authentication succeeded

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according to an authentication information contained in said another authentication and accounting request, the communication fee information is recorded in the information recording unit according to information regarding the accounting contained in said another authentication and accounting request. (§[0019-0038])

Response to Arguments

3. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey C. Pwu whose telephone number is 571-272-6798. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



11/10/06

JEFFREY PWU
Primary EXAMINER